

BOARD OF APPEAL REFERRALS

March 29, 1979

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 1106-1112 Commonwealth Avenue, Allston

MEMORANDUM

MARCH 29, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 4/10/79 Z-4354
Kai C. Lee
79 River Street, Dorchester
at Sturbridge Street

One-story masonry structure.

District(s):	apartment _____	general business _____	industrial _____
	residential R-.5 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Change occupancy from Real Estate
office to Chinese Restaurant.

Violation(s):

Section

Required

Proposed

9-2. Change in a non-conforming use requires
Board of Appeal hearing.

Present occupancy of structure is a Beauty Salon. Proposed facility would be primarily take out, operating daily from 11 am to 11 pm. There would be seating accommodations for six persons. This area of River Street contains a significant number of commercial uses with a major shopping complex directly across the street. Neighborhood reaction is mixed.
Recommend approval with provisos.

VOTED: In reference to Petition Z-4354, brought by Kai C. Lee, 79 River Street, Dorchester, for a change in a non-conforming use for change of occupancy from real estate office to Chinese Restaurant in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: that petitioner negotiate with nearby facility to provide adequate off-street parking; that use be limited to one-year to review and remedy any traffic problems.



Z-4354
79 RIVER ST.
(DOR.)

Board of Appeal Referrals 3/29/79

Hearing: 4/10/79

Z-4355

Jose Diaz

15-17 Etna Street, Brighton

Near North Beacon Street

2½ story frame structure

District(s): apartment _____ general business _____ industrial _____
 residential R-.5 _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from two-family dwelling
 to three-family dwelling.

Violation(s):

Section	Required	Proposed
8-7 Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an R-.5 District.		
14-1. Lot Area is insufficient.	2 acres	2735 s.f.
14-3 Lot width is insufficient.	250 ft.	37 ft.
14-4 Street frontage is insufficient.	250 ft.	37 ft.
16-1 Height of building is excessive.	2 stories	2½ stories
17-1 Open space is insufficient.	1000 sf/du	552 sf/du
18-1 Front yard is insufficient.	25 ft.	15 ft.

Traffic and parking partially created by illegal apartments have congested the immediate area. The city is cooperating with local residents to develop a new park on Etna Street and generally improve the area. Community is strongly opposed to this petition. Recommend denial.

VOTED: In reference to Petition Z-4355, brought by Jose Diaz, 15-17 Etna Street, Brighton, for a forbidden use and six variances for change of occupancy from two-family dwelling to three-family dwelling in a residential (R-.5) District, the Boston Redevelopment Authority recommends denial. Traffic and parking partially created by illegal apartments have congested the immediate area. The City is cooperating with local residents to develop a new park on Etna Street and generally improve the area. Community is strongly opposed to this petition.



Board of Appeal Referrals 3/29/79

Hearing: 4/10/79

Z-4356
Philmore M. Gilbert
25 Kinross Road, Brighton
near Lanark Road

8863 sq.ft. of vacant land.

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Use premises for parking of eight vehicles for fee.

Violation(s):

Section

Required

Proposed

6-1. In variance with previous decision of Board of Appeal

Lot has existed for last 15 years. Recommend approval with provisos.

VOTED: In reference to Petition Z-4356, brought by Philmore M. Gilbert, 25 Kinross Road, Brighton, for a variance to use premises for parking of eight vehicles for fee in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval with the following provisos: that parking be leased to residents of immediate area; that parking of trucks be prohibited; that premises be maintained free of litter and debris; that plans for landscaping be submitted to the Authority for design review.

Hearing: 4/10/79

Z-4357

Francis P. Camerano
167-169 Spring Street
West Roxbury
near Baker Street

Gas service station.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-.5 waterfront _____
single family _____ manufacturing _____

Purpose: Install an underground 6000 gallon
gasoline storage tank.

Violation(s):

SectionRequiredProposed

8-6 Extension of a conditional use requires
Board of Appeal hearing.

Additional storage facility would reduce deliveries to site
and danger of accidents on local streets. Recommend approval.

VOTED: In reference to Petition Z-4357, brought by
Francis P. Camerano, 167-169 Spring Street,
West Roxbury, for a conditional use to install
a 6000-gallon gasoline storage tank underground
in a Local Business (L-.5) District, the Boston
Redevelopment Authority recommends approval.
Additional storage facility would reduce deliveries
to site and danger of accidents on local streets.

Z-4357

167-169 SPRING ST.
(W.R.)



Board of Appeal Referrals 3/29/79

Hearing: 4/3/79

Z-4370
Ronald G. Taylor
41 Baldwin Street
Charlestown
Near Main Street

Three story masonry structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Legalize occupancy - one family dwelling;
erect one story addition.

Violation(s):

Section

Required

Proposed

17-1 Open space is insufficient.

400 sf.

200 sf.

20-1 Real yard is insufficient.

30 ft.

6 ft.

Addition would provide space for family room. Recommend
Approval with Proviso.

Voted: In reference to Petition Z-4370, brought by
Ronald G. Taylor, 41 Baldwin Street, Charlestown,
for two variances to legalize occupancy for one
family dwelling and erect one story addition
in an apartment (H-1) District, the Boston
Redevelopment Authority recommends approval
with the following proviso; that passageway
at rear of property be maintained without
obstruction to abutter's use.

Z-4370
41 BALDWIN ST.
(Chan.)



Board of Appeal Referrals 3/29/79

Hearing: 4/10/79

Z-4396
Thomas J. Dokton
69 Myrtle Street
Boston
At Garden Street

Five story structure

District(s): apartment H-2-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from dormitory (49 Persons)
to six apartments..

Violation(s):
Section

Required Proposed

17-1. Open space is insufficient.

Proposed conversion will strengthen residential character
of the neighborhood and enhance the property. Recommend
Approval.

Voted: In reference to Petition Z-4396, brought by
Thomas J. Dokton, 69 Myrtle Street, Boston,
for a variance for a change of occupancy
from dormitory to six apartments in an
Apartment (H-2-65) District, the Boston
Redevelopment Authority recommends approval.
Proposed conversion will strengthen residential
character of the neighborhood and enhance the
property.

POND

606

ALCON

Board of Appeal Referrals

3/29/79

Hearing: 4/10/79

Z-4397

McDonald's Corporation
1272-1300 Boylston Street
Boston
At Jersey Street

One-story Restaurant

District(s): apartment _____ general business B-2 _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect drive-through and canopy addition;
Allow lot to be used for parking for fee.

Violation(s):

Section

Required

Proposed

8-7. Sale over the counter of on premises prepared food or drink for off-premises consumption or for on premises consumption if, as so sold, such food or drink is ready for take out, is conditional in a B-2 District.

8-7 Drive-in restaurant is conditional in a B-2 District.

Proposed drive-thru facility would have a significant impact on this commercial area. Vehicles awaiting window service would conflict with customer and fee parking creating congestion and disrupting internal circulation. Plan is inadequate. Strong community opposition is indicated. Recommend denial.

VOTED: In reference to Petition Z-4397, brought by McDonald's Corporation, 1272-1300 Boylston Street, Boston, for two conditional uses to erect a drive-thru booth and canopy addition to a drive-in restaurant in a General Business (B-2) District, the Boston Redevelopment Authority recommends denial. Proposed drive thru facility would have a significant impact on this commercial area. Vehicles awaiting window service would conflict with customer and fee parking creating congestion and disrupting internal circulation. Plan is inadequate. Strong community opposition is indicated.



IPSWICH STREET

STREET

STREET

STREET

1282-1284 BOYLSTON ST.
(B.P.)

Z-4397

PARKING AREA

PARKING AREA

KILMARNOCK

BOYLSTON

BOYLSTON

AVENUE

AVENUE

STREET

BURLINGTON

FULLERTON

STREET

JERSEY

INTERNAL REVENUE SERVICE

DRIVE

ROSE

PARK

Board of Appeal Referrals 3/29/79

Hearing: 4/10/79

Z-4398
Boston University
1106-1112 Commonwealth Ave.
Allston
At Brighton Avenue

Seven story structure

District(s): apartment _____ general business B-2 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from 83 apartments dormitories, Restaurant, lounges, stores, offices, research lab, garage, auto truck sales, health club to 102 apartment-hotel-dormitory units, restaurant, lounges, stores, offices, research lab, garage, auto-truck sales.

Violation(s):

Section	Required	Proposed
8-7. Dormitory is conditional in a B-2 District.		
15-1. Floor area ratio is exceeded.	2	3.8
17-1. Open space is insufficient.	50 ft.	0
23-1. Off street parking is insufficient.	14 spaces	0

A newly formed community group, BU-Community Liaison Subcommittee on Housing, has requested an opportunity to meet with BU representatives to discuss and resolve issues of this Petition. Staff supports this request with condition that final resolution is submitted to the Authority for review. Recommend Board of Appeal render no Decision at this time.

VOTED: In reference to Petition Z-4398, brought by Boston University, 1106-1112 Commonwealth Avenue, Allston, for a conditional use and three variances for a change of occupancy from 83 apartment dormitories, restaurant, lounges, stores, offices, research lab, garage, auto-truck sales, health club to 102 apartments - Hotel-Dormitory units, restaurant, lounges, stores, offices, research lab, garage, auto truck sales in a general Business (B-2) District, the Boston Redevelopment Authority recommends that the Board of Appeal render no decision at this time. A newly formed community group, BU-Community Liaison Subcommittee on Housing, has requested an opportunity to meet with BU Representatives to discuss and resolve issues of this petition. The Authority supports this request with condition that Final Resolution is submitted to the Authority for review.



Z-4398
1106-1112 COMMONWEALTH AVE
(ALLSTON)